

Exhibit B

Exhibit B

Sara Rachid

August 22, 2013

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

)
JAKE BAIJOT-CLARY,)
)
)
Plaintiff,)
)
)
vs.)
)
GARTH HAYNES (individually and) No. 2:12-cv-01096-JCC
in his official capacity);)
CHRISTOPHER CHRISTMAN)
(individually and in his)
official capacity); and THE)
CITY OF SEATTLE, a municipal)
corporation,)
)
Defendants.)
)

VIDEO DEPOSITION UPON ORAL EXAMINATION OF

SARA RACHID

Thursday, August 22, 2013
1:08 p.m. to 2:47 p.m.

Held at the Law Offices of
ANDERSON HUNTER LAW FIRM
2707 Colby Avenue, Suite 1001
Everett, Washington

VIDEOGRAPHER: KURT SCHULTZ, Legal Video Specialist
 ALPHA CAM PRODUCTIONS
 (253) 857-4600
 AlphaCam@Gmail.com

REPORTED BY: Jeanne M. Gersten RMR, CCR
 Washington CCR No. 2711
 Registered Merit Reporter
 JONI NOVAK & ASSOCIATES
 Phone: (360) 455-8080
 RegalReporting@Comcast.net

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 Q And do you recall the name of the lawyer that
12 you spoke with?

13 A No.

14 Q Do you recall if he or she contacted you or if
15 you contacted them?

16 A I think -- I think I might have at one point
17 reached out to help, if I can.

18 Q And why did you feel the need to do that?

19 A Because the guys jumped in to help me, and then
20 they got in trouble for it.

21 Q And we'll get to that, but when you say they
22 jumped in to help you, what do you mean?

23 A Well, Officer Haynes was -- I don't know --
24 trying to grab me. Like my friends were pushing him off,
25 and he kept trying to -- I don't know what he wanted to do

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1 with me, but he kept trying to grab me and like bring me
2 to him. And I don't know. He was trying to arrest me or
3 something. I'm not sure.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 Q And at some point did you and your group leave
11 the BalMar?

12 A Yes.

13 Q And what happened when you left?

14 A Well, everybody was leaving. Everybody went
15 downstairs, and it was -- I think it was just me and my
16 sister still up there. We were trying -- I think I was
17 trying to find my jacket -- not my jacket. I was trying
18 to find something.

19 But anyways, my sister tells me, she's like, "Can you
20 please grab those jackets. That's Dennis's and Jordan's."
21 And I'm like okay. Grabbed the jackets, because they were
22 downstairs in the bathroom. Grabbed the jackets, and I --
23 And we went downstairs.

24 We got out of BalMar. And my sister and her friends
25 were smoking cigarettes, so we were just standing there.

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1 I was just standing there waiting for them to finish.

2 Q And do you recall who your sister was standing
3 with smoking the cigarette?

4 A It was a bunch of people.

5 Q Do you know any of their names?

6 A Christina was there. I'm sure George was there
7 because he was -- I remember him being next to me.

8 Dennis and Jordan came out later after the officer
9 came out.

10 Q So what happened? What did you do when you
11 exited the BalMar?

12 A So I left BalMar, and I stood -- We stood in
13 front of BalMar, and I was just waiting for them to finish
14 their cigarettes; and that's when the officer came out.

15 Q And can you tell me what happened at that point?

16 A Nothing. He came out yelling. He's like, "You
17 stole my jacket. You stole my jacket," screaming. I
18 looked at him, and I'm like, "No, this is not your jacket.
19 This is my friend's jacket."

20 As I'm saying that, my friend is walking up, him and
21 Jordan. Dennis and Jordan are walking up, and Dennis
22 goes, "No, that's not my jacket." And that's when I
23 apologized, and I gave him back his jacket. But he
24 wouldn't stop. He kept screaming and yelling, and he
25 started grabbing me and trying -- And that's when my

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1 friends started pushing him because they thought he -- I
2 don't -- It looked like he wanted to beat me up.

3 Q Which of your friends started pushing the
4 officer?

5 A Dennis and George and Jordan.

6 Q And when they were pushing him, how were they
7 pushing him? Were they putting their hands on him, or
8 were they using other parts of their body?

9 A They were just taking his hand off of me and
10 just like (indicating) -- go away, pretty much.

11 Q But they were putting their hands on him?

12 A No, they were -- They were -- Yeah, I think so.
13 I'm not sure. They were pushing him off of me.

14 Q And the officer that you're speaking of is
15 someone you now know to be Garth Haynes; is that right?

16 A Correct.

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED] [REDACTED]

23 [REDACTED]

24 [REDACTED] is

25 [REDACTED]

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1

2 Q At some point did Officer Haynes tell you that
3 he was a police officer?

4 A He showed his badge, yes.

5 Q And when did that occur?

6 A Well, after I gave him the jacket he started
7 saying, "Do you know who I am? Do you know who I am?" And
8 I think I said something like, "I don't care." And then
9 that's when he showed his badge.

10 And we honestly, I didn't think for a second
11 somebody -- a police officer -- could be acting like that.
12 So we thought it was a fake badge. Everybody around me,
13 we were laughing. We thought it was a fake badge.

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Q So at the point when Officer Haynes shows you
10 his badge, what did you do then?

11 A Nothing. I'm -- The whole time I'm just
12 standing there; and he keeps attacking, and they keep
13 pushing him off. And he keeps attacking, and they keep
14 pushing him off.

15 Q When you say --

16 A I'm not doing anything.

17 Q When you say he was attacking, was he touching
18 you physically, or was he trying to get back to talk to
19 you?

20 A No, he was definitely not trying to talk to me.
21 He was physically touching me, and he touched me many
22 times.

23 Q Where did he touch you?

24 A My shoulder, I think. I don't know if he was
25 trying to grab me.

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1 Q Did he ever strike you in any way?

2 A No.

3 Q Okay. So it was -- When you say touching you or
4 attacking you, he was grabbing your arm in some manner or
5 shoulder?

6 A He was like grabbing me really hard and pushing
7 me towards him.

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

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10 his badge, what did you do then?

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12 standing there; and he keeps attacking, and they keep
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18 you physically, or was he trying to get back to talk to
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5 shoulder?

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7 me towards him.

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]s dark. It was

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1 [REDACTED]

2 Q At that point, at the point in time after he
3 showed you his badge and showed you a gun, did you have
4 reason to believe that he was, in fact, a police officer,
5 or did you still not believe that he was?

6 A I still didn't believe it because he was a
7 belligerent drunk.

8 Q What makes you say he was a belligerent drunk?

9 A The way he was yelling and -- the way he was
10 yelling and coming at me. Yeah.

11 Q Was there anything --

12 A He was slurring his speech.

13 Q Okay. So yelling at you, the way he was coming
14 at you, and his speech led you to believe that he was
15 drunk?

16 A Yeah. And I saw him drink upstairs with his
17 buddy.

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 Had you had any contact with Officer Haynes at the
7 BalMar before you exited for the evening?

8 A Yes.

9 Q Can you tell me about that?

10 A He -- Him and his friend came towards our table
11 and were trying to talk to us. They just went from one
12 girl to the other. And I mean, we just weren't
13 interested. I mean, I would say 80 percent of my group
14 was either gay or lesbian, but it was more fem-lesbian, so
15 they -- You couldn't tell.

16 Q Was there anything about the way that he and his
17 friend approached you and your friends that you found
18 inappropriate or offensive?

19 A No, just the fact that they kept jumping from
20 one girl to the other, which I thought was funny.

21 Q When you say jumping from one girl to the other,
22 do you mean just talking to different girls?

23 A Yeah. I mean, when one of the girls in our
24 group rejected them, they would just go talk to the other
25 one. It was funny to us because it's like we're all here,

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1 and we're seeing what you're doing. You just go to the
2 next one?

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 A I don't remember how it switched from, you know,
4 us being just like with the officer to the three guys. I
5 don't remember how that whole thing happened; but I
6 remember we saw the guys jump in, and we were like, "You
7 know what, we probably should go."

8 Q And when you say the three guys jump in, what do
9 you mean by that?

10 A One of them was saying something, "Hey, don't
11 hit a woman," or something like that. And yeah, they got
12 into -- I -- They came to help, I think.

13 Q Did they have to get through a crowd of people
14 in order to get to Officer Haynes?

15 A I don't think so. I think they were right
16 there.

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 Q Do you know if they were there at the time when
20 Officer Haynes was showing you his badge?

21 A I don't think they were.

22 Q What makes you say that?

23 A Because it was -- I remember when that was
24 happening, it was just me, Dennis, Jordan and George.

25 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q Do you recall any of the three gentlemen that
6 interceded saying something to Officer Haynes along the
7 lines of, "That's a fake badge"?

8 A I think -- Yeah, I don't know if it was the
9 gentlemen. I remember I thought it was a fake badge.

10 Q Were other people saying that at the time?

11 A I think everybody was saying, "It's a fake
12 badge."

13 Q Out loud they were --

14 A Yeah.

15 Q -- challenging Officer Haynes in that regard?

16 A No, they weren't challenging him.

17 Q And I don't mean physically. I just mean people
18 were voicing their belief that they didn't believe that
19 the badge was authentic; is that right?

20 A I believe -- I think so.

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 A Oh, yeah, he grabbed me.

3 Q Okay. How long did he hold you when he grabbed
4 you?

5 A It -- I mean, he kept grabbing me, but they kept
6 pushing him off of me. He did it many times. It wasn't
7 just one time.

8 Q Okay. And when you say they kept pushing him
9 off of you, who is they?

10 A My friends George, Dennis and Jordan. I mean,
11 they just -- I think they just kept -- They didn't want to
12 get into a fight, so they just kept like pulling away his
13 hand.

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]